

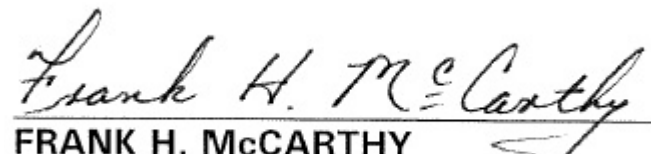
Case 4:15-cv-00095-CVE-FHM Document 85 Filed in USDC ND/OK on 08/16/16 Page 1 of 2

Although Defendants desire that Plaintiffs be required to provide accurate addresses and telephone numbers for Plaintiffs' witnesses before the discovery deadline is understandable, neither the Scheduling Order or the Federal Rules of Civil Procedure support Defendants' motion to strike the witnesses at this time.

Fed. R. Civ. P. 26(a)(1)(A)(i) requires that addresses and telephone numbers for witnesses be provided if they are known and Fed. R. Civ. P. 26(e)(1)(A) imposes a duty to timely supplement the addresses and telephone numbers. Accepting Plaintiffs' attorney's statement that he provided the best information he had, Plaintiffs have complied with Fed. R. Civ. P. 26(a)(1)(A)(i). Fed. R. Civ. P. 26(a)(3)(A)(i) on the other hand, requires a party to provide the addresses and telephone numbers of its witnesses in its Pretrial Disclosures. But the Pretrial Disclosures are not due until thirty days before trial or as ordered by the court, Fed. R. Civ. P. 26(a)(3)(B). Under the Scheduling Order the date for Pretrial Disclosures is September 12, 2016.

Thus, under the Scheduling Order and the Rules, Plaintiffs have until September 12, 2016 to provide the addresses and telephone numbers of their witnesses, with an obligation to timely supplement under Fed. R. Civ. P. 26(e)(1)(A) if the information becomes available before that date. Defendants' motion is therefore DENIED without prejudice.

SO ORDERED this 16th day of August, 2016.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE